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Serbia: Situation of ethnic Albanians in Serbia; incidents of violence and state protection available to victims
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Statistics from the 2002 census indicate that there are 61,647 Albanians in Serbia, accounting for 0.8 percent of the population (MRG July 2008b; Serbia Feb. 2003, 16). Sources indicate that the majority of Albanians live in southern Serbia (UN n.d., 5) and form the majority of the population in two municipalities (MRG July 2008a; *Balkan Insight* 5 Mar. 2009; CRI Project June 2009, 65). According to the non-governmental organization (NGO) Minority Rights Group International (MRG), the situation for Albanians in Serbia has improved in recent years, but Albanians are "victims of hidden discrimination and face high levels of intolerance from the majority" (MRG July 2008a). Findings from a 2009 public opinion poll regarding discrimination in Serbia, as reported by the United Nations (UN) Development Programme (UNDP) and the Ministry of Labour and Social Policy of Serbia, similarly indicate that Albanians face high levels of intolerance from Serbian society (UNDP/Serbia July 2009, 10).

Incidents of violence against Albanians

Human Rights Watch reports that Albanians in Serbia have been "vulnerable" to attacks, particularly during periods of heightened tensions related to Kosovo, such as during the 1999 war, between 2003 and 2005, and in 2008 following Kosovo's declaration of independence (Human Rights Watch Nov. 2008, 1). Human rights organizations provide details of several incidents targeting ethnic Albanians, including an incident that took place on the night of 2 September 2007 when a group set fire to an Albanian-owned bakery in Novi Sad, and then posted the clip on the Internet (Helsinki Committee 2009, 66-67; Belgrade Centre for Human Rights 2009, 293).

Human rights organizations report that following Kosovo's declaration of independence in February 2008, Albanians in Serbia were the target of attacks and harassment, particularly in the province of Vojvodina (Human Rights Watch Nov. 2008, 1; Helsinki Committee 2009, 66; The Observatory 2009, 423). Amnesty International (AI) reports that over 200 attacks on property owned by ethnic Albanians were reported to authorities at this time (AI 2009). In a 73-page fact-finding report entitled *Hostages of Tension: Intimidation and Harassment of Ethnic Albanians in Serbia after Kosovo's Declaration of Independence*, Human Rights Watch similarly indicates that police registered 221 incidents related to Kosovo's declaration of independence, 190 of which occurred in Vojvodina (Human Rights Watch Nov. 2008, 1). Although not all of the incidents reported

were ethnically motivated, Human Rights Watch reports that most targeted Albanian-owned businesses and homes and included cases where perpetrators threw bricks and stones at property, attempted arson, sprayed hate graffiti, organized a boycott, distributed leaflets and carried out "intimidating protests" in front of the homes and businesses of individuals of Albanian origin (ibid., 1, 23).

Human Rights Watch reports that Albanians in Vojvodina constitute less than one percent of the population (ibid., 28). The report gives details on incidents that occurred in cities and towns ranging in size from 14,500 people to 260,000 people where the number of Albanians ranges from 14 to 299 people (ibid., 23-36). According to police statistics reported by Human Rights Watch, after Kosovo declared independence, 77 incidents occurred in Vojvodina's capital Novi Sad, 48 incidents occurred in Sombor and 23 in Zrenjanin (ibid., 23). In Novi Sad, bakeries and a flower shop owned by Albanians came under attack (ibid., 24-27). In some cases, bakeries were attacked multiple times (ibid.). Human rights groups report that in Sombor, a boycott of a bakery was organized by an unknown group (ibid., 32; Helsinki Committee 2009, 67; Belgrade Centre for Human Rights 2009, 293). Human Rights Watch indicates that the windows of the boycotted bakery were smashed prior to the start of the boycott and the owner's home was vandalized with anti-Albanian graffiti (Human Rights Watch Nov. 2008, 32). According to the NGO Belgrade Centre for Human Rights, a number of Albanian-owned bakeries in Sombor were pelted with stones (Belgrade Centre for Human Rights 2009, 293). In Zrenjanin, a city with 78 Albanians, 12 Albanian-owned bakeries were reportedly attacked over a 10-day period in February 2008 (Human Rights Watch Nov. 2008, 28-29). Human Rights Watch also reports attacks against Albanian-owned bakeries and other property which occurred in Kinkinda, Subotica and Novi Becej in Vojvodina, and in Kragujevac, Negotin, and Bor, towns in other parts of Serbia (ibid., 30-40).

Human rights organizations report that groups shouted, "Kill, kill the Shiptars (a derogatory term for Albanians)" during protests in Belgrade in 2008 (Human Rights Watch Nov. 2008, 12) and in 2009 (Helsinki Committee 2009, 119).

The United States (US) Department of State's *Country Reports on Human Rights Practices for 2009* notes that on 5 February 2009 an investigation was opened into nationalist graffiti directed against (among others) an Albanian bakery-owner in Zajecar (US 11 Mar. 2010, Sec. 6).

Situation of Albanians in southern Serbia

According to a regional media source, Albanians form the majority population in the southern Serbian municipalities of Preševo and Bujanovac (*Balkan Insight* 5 Mar. 2009; Serbia Feb. 2003, 196, 204). In addition, the Serbian government indicates that Albanians comprise 25 percent of the population of Medvedja (also spelled Medveda) (Serbia 12 Oct. 2009; ibid. Feb. 2003, 192). The UNDP reports that southern Serbia is one of the least developed regions of Serbia and Preševo is the poorest municipality in the country (UN n.d., 6). Agence France-Presse (AFP) similarly notes that southern Serbia is one of the most underdeveloped zones in the region and has a high level of unemployment and poverty (9 Mar. 2010). Sources state that Albanians in southern Serbia have expressed concerns that they are under-represented in local state institutions (US 11 Mar. 2010, Sec. 6; EU 5 Nov. 2008, 19).

The European Commission Against Racism and Intolerance (ECRI), an

independent human rights monitoring body established by the Council of Europe (COE), reports that Albanians in Preševo, Bujanovac and Medvedja suffer from "discrimination" concerning access to education and civil services, such as police and the judiciary (COE 29 Apr. 2008, No. 43). *Country Reports 2009* indicates that the police force in southern Serbia is primarily composed of Serbian officers but that there are also small numbers of ethnic Albanian officers (US 11 Mar. 2010, Sec. 1d).

According to the Serbian government response to the ECRI report, Serbian laws protect the right of Albanians to access schooling in their native language, and there are elementary and secondary school programs in Albanian in the municipalities of Preševo, Bujanovac and Medvedja (COE 29 Apr. 2008, 61-62). *Balkan Insight* notes that it is not possible to study at the university level in Albanian in Serbia, and that degrees from the University of Priština [in Kosovo] are no longer officially recognized (5 Mar. 2009). AFP notes that Albanians have few opportunities to access higher education and jobs because of the language barrier (9 Mar. 2010). However, the Serbian government reports that on 12 October 2009, departments of law and economics of the University of Nis were opened in Medvedja; they provide lectures in both Serbian and Albanian (Serbia 12 Oct. 2009). An independent Serbian media source reports that ethnic Albanian leaders from southern Serbia expressed concern that the abolition of courts in Preševo and Bujanovac jeopardizes the right of Albanians to use their language in court (FoNet 18 Jan. 2010).

Sources indicate that there are ethnic tensions in southern Serbia (IHS Global Insight 16 Feb. 2010; MRG July 2008a). Media sources report that in July 2009, two Serbian police officers were injured in a grenade attack in southern Serbia (*Balkan Insight* 20 July 2009; *ibid.* 10 July 2009; BBC 9 July 2009; Radio B92 10 July 2009). Sources report that a few days later, a bomb exploded in Preševo injuring two people (IHS Global Insight 16 Feb. 2010; *Balkan Insight* 14 July 2009). The Serbian government deployed additional police forces to the area, after which Preševo municipal leaders condemned alleged "police brutality" (Human Rights Watch 2010; *Balkan Insight* 20 July 2009; Radio B92 18 July 2009). The Preševo municipal assembly reportedly called for the withdrawal of the additional police forces (Human Rights Watch 2010; *Balkan Insight* 20 July 2009).

Media sources report that on 14 February 2010, a policeman and three other people were injured by a car bomb in Bujanovac (IHS Global Insight 16 Feb. 2010; AP 15 Feb. 2010; AFP 15 Feb. 2010). According to Associated Press (AP), the police officer was of Albanian ethnicity (AP 15 Feb. 2010). The Serbian Interior Minister reportedly stated that it was likely a "terrorist attack" by Albanian separatists who oppose the multi-ethnic police force (AFP 15 Feb. 2010; IHS Global Insight 16 Feb. 2010).

According to a report by the Country of Return Information Project (CRI Project), a project funded by the European Commission focussed on reintegration possibilities for potential returnees, some Albanians who returned to live in Preševo and Bujanovac were victims of arson; the report speculates that the attacks were motivated by resentment that the victims had fled during the war (CRI Project June 2009, 65). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

State Protection

Human Rights Watch reports that in the violence following Kosovo's declaration of independence, the police were deployed to guard the property of Albanians and other minorities once they were attacked, and in many cases police acted as a deterrent for several days (Nov. 2008, 2). However, Human Rights Watch notes that Article 317 of the criminal code, which prohibits incitement to ethnic, racial and religious hatred, was not utilized to prosecute cases of inter-ethnic violence in 2008 (Human Rights Watch Nov. 2008, 20). Human rights groups report that of the 221 registered incidents from February and March 2008, only ten people were convicted and fined for misdemeanours (ibid., 2-3; Belgrade Centre for Human Rights 2009, 38). According to Human Rights Watch, even in situations where there were video recordings and police eye-witnesses, little action was taken to identify and convict perpetrators of violence against Albanians (Human Rights Watch Nov. 2008, 2-3). Serbia's Protector of Citizens similarly notes that state authorities reacted indecisively and inefficiently to violent incidents targeting ethnic Albanians after Kosovo's proclamation of independence in 2008 (Serbia 2009, 13). The Protector of Citizens criticized the state for failing to adequately identify, process and sanction cases of ethnic violence in 2008 (ibid.).

The Protector of Citizens of the Republic of Serbia (also known as the Ombudsman) is an independent public body that oversees governmental institutions in regards to individual and collective rights of citizens (Serbia 2009, 19). Although the law for establishing the Protector of Citizens was passed in 2005 (ibid.; UNDP/Serbia July 2009, 18), the first Ombudsman was not appointed to the position until 2007 (ibid.). Sources indicate that the Office of the Protector of Citizens is understaffed and is limited by inadequate accommodations and resources (ibid.; Serbia 2009, 22). According to Human Rights Watch, Serbia's Ombudsman actively responded to the anti-Albanian attacks which took place after Kosovo declared its independence; he publicly condemned the violence on multiple occasions and visited with victims (Human Rights Watch Nov. 2008, 52). In September 2009, Serbia's Minister of Public Administration and Local Self-Government announced plans to open offices of the State Ombudsman in Bujanovac and Preševo (Serbia 10 Sept. 2009).

Sources report that in March 2009, the Serbian parliament passed an anti-discrimination law (UNDP/Serbia July 2009, 8; Human Rights Watch 2010; Serbia 26 Mar. 2009). According to information posted on the Serbian government website, the law prohibits discrimination on any basis including race, gender, ethnicity, social background, religion and health (ibid.). UNDP/Serbia reports that the law also forbids "associating for the purpose of discriminating," as well as hate speech and harassment (July 2009, 8). Sources indicate that the legislation calls for an office of an Ombudsman for Equal Rights [also known as Commissioner for the Protection of Equality (UNDP/Serbia July 2009, 8)] to be established (ibid.; Serbia 26 Mar. 2009). According to the UNDP/Serbia, the office will evaluate anti-discrimination complaints against both public and private actors (July 2009, 22).

According to *Country Reports 2009*, in August 2009 Serbia's parliament enacted a law to create national minority councils, which would have "substantial autonomy" concerning issues related to language, education and culture (US 11 Mar. 2010, Sec. 6). Serbia's Minister for Human and Minority Rights announced plans for the election of members to 19 local minority councils in 2010 (Serbia 28 Dec. 2009). *Country Reports 2009* also notes that in 2009, the Serbian government operated a hotline for minorities and others to report human rights problems (US 11 Mar. 2010, Sec. 6).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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